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2
3 BILL NO. Z-76-04-25

4 ZONING MAP ORDINANCE NO. Z- Wesley

5 AN ORDINANCE amending the City of
6 Fort Wayne Zoning Map No. BB-6.

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
8 OF FORT WAYNE, INDIANA:

9 SECTION 1. That the area described as follows is
10 hereby designated a B-1-B District under the terms of Chapter 36,
11 Municipal Code of the City of Fort Wayne, Indiana, 1946, as
12 amended by General Ordinance No. 2836 and amendments thereof;
13 and the symbols of the City of Fort Wayne Zoning Map No. BB-6,
14 referred to therein, established by Section 9, Article III
15 of said Chapter as amended, are hereby changed accordingly,
16 to-wit:

17 Lot No. 1 of the B. W. Vesey's
18 Addition of the city of Fort
Wayne, Indiana.

19 SECTION 2. This Ordinance shall be in full force
20 and effect from and after its passage, approval by the Mayor
21 and legal publication thereof.

22 Saul D. Benson
23 Councilman
24
25
26
27
28

29 APPROVED AS TO FORM
30 AND LEGALITY,
31 [Signature]
32 CITY ATTORNEY
33
34
35

Read the first time in full and on motion by Burns, seconded by Hinga, and duly adopted. read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 4-13-76

Charles Winterman
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-VOTE
TOTAL VOTES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BURNS	_____	_____	_____	_____	_____
HINGA	_____	_____	_____	_____	_____
HUNTER	_____	_____	_____	_____	_____
HOSES	_____	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	_____	_____
SCHMIDT, V.	_____	_____	_____	_____	_____
STIER	_____	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____	_____

Date: 6-22-76

W. Hunter
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ H., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ H., E.S.T.

NOTAR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 13, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-04-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission scheduled a public hearing for May 17, 1976,

WHEREAS, the Attorney representing the petitioner, requested postponement for said hearing until June 21, 1976;

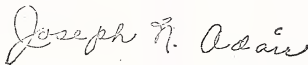
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this
10th day of June, 1976.



Joseph N. Adair
Secretary

Bill No. Z-76-04-25

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. BB-6

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Withdrew PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

6-22-76
DATE CONCURRED
CHARLES W. WILSON

RECEIPT

GENERAL FUND

No 058

FT. WAYNE, IND.

RECEIVED FROM

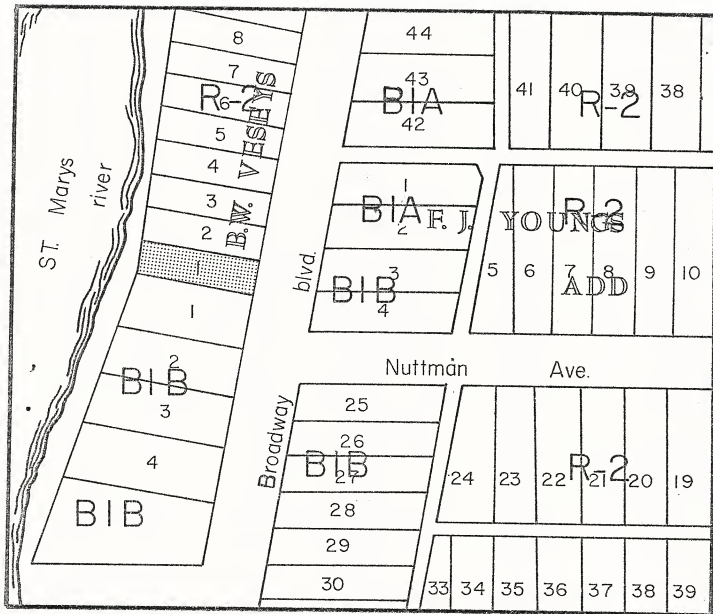
THE SUM OF

ON ACCOUNT OF

March 22 1976
County Service Center
Fifty dollars — 00
Harrison - HOT #100
BW. Vesp. Addn
Am. (Signature)

\$ 50.00
DOLLARS

AUTHORIZED SIGNATURE



To be rezoned from R-2 to B-1-B

3-23-76

BB-6

L.S.



PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We Gowty's Servicenter Inc.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R2 district to a/an B1B district the property described as follows:

Lot #1 of the B.W. Vesey's Addition of Fort Wayne, Indiana

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Tom Christoff

3500 Broadway

Tom Christoff

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Tom Christoff V. Pres.
Gowty's Servicenter Inc.

3500 Broadway
(Address)

46807

744-3147
(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

LAW OFFICES
LIVINGSTON, DILDINE, HAYNIE & YODER
LINCOLN TOWER
FORT WAYNE, INDIANA 46802

VON E. LIVINGSTON
THOMAS W. YODER
WILLIAM P. FAGAN
MILFORD M. MILLER
NORMAN E. BAKER
CHARLES R. COGDILL
PHILIP L. CARSON
LAWRENCE A. LEVY
EDWARD L. MURPHY, JR.
C. ERIK CHICKEDANTZ
GILMORE S. HAYNIE, JR.
STEPHEN J. HARMS

WARD E. DILDINE (1970)
GILMORE S. HAYNIE (1969)

AREA CODE 219
TELEPHONE
423-9411

June 4, 1976

Fort Wayne City Plan Commission
Room 800
City-County Building
Fort Wayne, Indiana 46802

Attention: Mr. Gary Baeten

Re: Bill No. Z-76-04-25

Dear Mr. Baeten:

Inasmuch as the plans for the site described in the above captioned petition are incomplete at this time, my client, Gouty Servicer, Inc., wishes to withdraw its petition. Accordingly, we respectfully request your cooperation in taking whatever steps may be necessary to withdraw same.

Very truly yours,

LIVINGSTON, DILDINE, HAYNIE & YODER

By


Charles R. Cogdell

CRC:ml

cc: Mr. Thomas Christoff
cc: The Appleseed Southwest
Neighborhood Association
Attention: Jack Maurer

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

3-76-04-25

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the

following described property: Lot # 1 of the B. W. Vesey's Addition,

commonly known as 3430 Broadway.

From "R2" to "B1B"

EFFECT OF PASSAGE Property is presently zoned an "R2" District - Two

Family Residential. Petitioners are requesting a "B1B" District - Limited Business.

EFFECT OF NON-PASSAGE Property would remain an "R2" District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulation JN